

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY
RE: AUTHORIZATION TO ADVERTISE PARCELS 1E, 1F and 2
IN THE WEST END URBAN RENEWAL AREA PROJECT NO. U.R.
MASS. 2-3

WHEREAS, the Boston Redevelopment Authority, a public body politic and corporate created pursuant to Massachusetts General Laws (Ter.Ed.) Chapter 12, Section QQ, and Charles River Park, Inc., executed a "Leasehold Agreement" for the West End Land Assembly and Redevelopment Project, dated May 27, 1957, as amended, with respect to Delivery Parcels 1A, 1B, 1C, 1D, 1D1 and 1E, 1F and 1G within said Project; and

WHEREAS, in accordance with the terms of said "Leasehold Agreement", Charles River Park, Inc., has, at its election, accepted delivery of Parcels 1A, 1B, 1C, 1D, 1D1 and 1G, by purchase of the fee title in said parcels or by lease; and

WHEREAS, Section 204(e) of said Leasehold Agreement recites: "It is understood by the parties hereto that they shall make their best efforts toward speeding the schedule of commencement of the several lease terms, as circumstances permit, in order to achieve an early completion of the project"; and

WHEREAS, Charles River Park, Inc., had the obligation to accept delivery of Parcels 1E and 1F in accordance with the schedule for the commencement of their respective lease terms, which schedule set March 7, 1965, and March 7, 1964, respectively as the dates for the delivery of the said parcels; and

WHEREAS, the Board on June 20, 1968, voted to include Parcel 2 with Parcels 1E and 1F for development by Charles River Park, Inc., in accordance with the Leasehold Agreement; and

WHEREAS, Charles River Park, Inc. has failed to carry out its duties and obligations under the Leasehold Agreement, as the same may have been amended, by accepting delivery of the parcels in question, by submitting general plans and specifications for review by the Boston Redevelopment Authority and by using its best efforts toward "speeding the schedule of commencement of the several lease terms"; and

WHEREAS, notice was sent on June 4, 1970, pursuant to the Authority's authorization, informing Charles River Park, Inc. that it was in breach of certain conditions of the Leasehold Agreement and that it had 60 days to effect a cure; and

WHEREAS, Charles River Park, Inc. has not effected the required cure as of August 3, 1970:

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That all previous actions of the Boston Redevelopment Authority and all previous agreements entered into by the Boston Redevelopment Authority relative to the development of Parcels 1E, 1F, and 2 in the West End Urban Renewal Area by Charles River Park, Inc., are hereby rescinded and terminated; however, the Authority specifically reserves all its rights and remedies against Charles River Park, Inc. as a result of the aforementioned breach and that, in exercise of such rights and remedies, the Authority assert its rights to all security furnished by Charles River Park, Inc. to secure its obligations under the Leasehold Agreement.

2. That the Secretary is hereby authorized and directed to advertise Parcels 1E, 1F, and 2 in the West End Urban Renewal Area for development in accordance with the West End Land Assembly Plan.

MEMORANDUM

August '6, 1970

TO: Boston Redevelopment Authority

FROM: John D. Warner, Director

SUBJECT: West End Urban Renewal Area
Mass. U.R. 2-3
Readvertisement for Development of parcel 1E, 1F, 2

On June 4, 1970, the Authority resolved to serve formal notice on Charles River Park, Inc. that it was, pursuant to Section 701 of a Leasehold Agreement executed between the Authority and Charles River Park, Inc., in breach of certain conditions contained in that Agreement. The formal notice which was sent to Charles River Park, Inc., return receipt requested, on June 4, 1970, and received on June 5, 1970, stated that Charles River Park, Inc. had 60 days, i.e., until August 3, 1970, to cure those breaches. As of this date, no cure has been effected; therefore, the above readvertisement is recommended.

An appropriate Resolution is attached.

Attachment

